

Panaji, 20th July, 1989 (Ashada 29, 1911)

SERIES II No. 16

OFFICIAL GAZETTE



GOVERNMENT OF GOA

GOVERNMENT OF GOA

General Administration and Coordination Department

Notification

No. 2-1-88-GA&C

Read: Notification No. 2-1-88-GA&C dated 17-10-1988.

In partial modification of the Notification issued with the Government Order read above, it is hereby ordered that the Saturday the 1st of April, 1989 and the Saturday the 30th September, 1989, shall be observed as Public Holidays for the Commercial Banks only, under the Negotiable Instrument Act, 1881 on account of Annual and Half Yearly Closing of Bank Accounts. The Friday 30th June, 1989, and the Saturday 30th December, 1989 declared as holiday in the Government order read above on account of half yearly annual closing of Bank Accounts are hereby cancelled.

(The 1st April, 1989 has been shown as holiday for official purpose though the date was already over).

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (GA).

Panaji, 28th June, 1989.

Notification

No. 2-1-88-GA-&C

Government is pleased to declare a Public Holiday for all Government Offices including Industrial Establishments, Public Sector undertakings and Banks in the State of Goa on Tuesday, the 14th November, 1989 under Negotiable Instruments Act on account of Birth Centenary of Pandit Jawahar Lal Nehru.

By order and in the name of the Governor of Goa.

A. V. Pimenta, Under Secretary (GA).

Panaji, 5th July, 1989.

Home (General) Department

Order

No. 11/143/81-HD(G) Vol. II

- Read: — 1. Order No. 11/143/81-HD(G) Vol. II dated 21-3-1986 regarding rates of pension to Freedom Fighters.
2. Notification No. 11/143/81-HD(G) Vol. II dt. 12-8-1986 about the procedure for disbursement of pension.
3. Office Memorandum No. 11/266/87-HD(G) dated 31-5-1988 about payment of pension through Nationalised Banks.

Government is pleased to enhance the rate of State Pension to the freedom fighters who are not recipients of Pension under Swatantrata Sainik Samman Pension Scheme from Central Government, from Rs. 200/- p.m. to Rs. 300/- p.m. w.e.f. 1-6-1989 until further order. The expenditure in this regard should be debited to the Head of Account "2235 - Social Security and Welfare, Programme, 102 - Pension under Social Security Scheme, 01 - Swatantrata Sainik Samman Pension Scheme (Non-Planning, 71 Pension). Order for disbursement of pension to the freedom fighters at the enhanced rate may be issued by the Director of Accounts.

This issues with the approval of Finance Department under U.O.No.Fin/Exp/2823/89 dated 17-6-1989 and Fin(Bud)/1939/89 dated 23-5-1989.

By order and in the name of the Governor of Goa.

A. T. Kamat, Under Secretary (Home).

Panaji, 23rd June, 1989.

Order

No. 11/383/81-HD(G)

- Read: — 1. Order No. HD(G)10-450/68-Vol. II dated 13-3-1980.
2. Order No. HD(G)10-450/68-Vol. II dated 20-3-1982.
3. Order No. 11-383-81-HD(G) dated 24-2-1984.
4. Order No. 11-383-81-HD(G) dated 17-8-1987.
5. Order No. 11-383-81-HD(G) dated 23-9-1988.

In supersession of Government orders mentioned at Serial No. 1 to 5 above the Government of Goa is pleased to reconstitute the Committee for Rehabilitation of Freedom Fighters as under:

1. Hon. Chief Minister of Goa — Chairman.

Official Members

2. The Chief Secretary.
3. The Finance Secretary.
4. The Jt. Secretary (Home).

Non-Official Members

5. Shri V. N. Lawande, Porvorim, Goa.
6. Shri Narayan Hari Naik, Taleigao, Goa.
7. Shri Anant P. Khadilkar, Satari, Goa.
8. Shri Vasant Molio, Margao, Goa.
9. Shri Bonifacio Dias, Mapusa, Goa.
10. Shri Jaisingrao Rane, Satari, Goa.
11. Smt. Shashikala D'Almeida, Margao, Goa.
12. Shri Manohar Prabhu Dessai, Canacona, Goa.
13. Shri Chandrakant V. S. Kenkre, Shiroda, Ponda, Goa.
14. Shri Chandrakant Kerkar, Ponda, Goa.
15. Shri Pandurang Kunkolienkar, Ponda, Goa.
16. Shri Raviudra Gaundalkar, Mapusa, Goa.
17. Shri Gajanan Banaulikar, Siolim, Goa.
18. Shri Madhav Korde, Ponda, Goa.
19. Shri Narcinva Hegde Dessai, Quepem, Goa.

20. Dr. J. F. Martins, Britona, Goa.

21. Under Secretary (Home) — Member Secretary.

2. This order will come in force with immediate effect.

3. The non official members of the Committee shall be entitled for TA/DA at the rates prescribed for Grade I Officers whenever they are called by the Government for the purpose of the meetings of the Committee.

By order and in the name of the Governor of Goa.

A. T. Kamat, Under Secretary (Home).

Panaji, 3rd July, 1989.

Education Department

Order

No. 22/1/89/EDN

Read: — Govt. Order No. 16-53-89-ADM-I dated 29-6-1989.

Shri Andre Rafael Fernandes is hereby temporarily appointed on ad hoc basis as Lecturer in English in Government College of Arts & Commerce, Khandola, Marcela under the Directorate of Education with effect from 29-6-89 (F.N.) in the scale of Rs. 2200-75-2800-EB-100-4000 plus the usual allowances admissible from time to time with the initial pay of Rs. 2200/- p.m.

The appointment is initially for a period of one year and subject to the condition specified in the office Memorandum No. 21/Misc/2616/89/EDN dated 19-6-1989 and the Rules and Regulations laid down by the Government from time to time.

The appointment is purely on ad hoc basis and it will not bestow on the appointee any claim for regular appointment/promotion to the higher post and seniority and will be liable to be terminated by one month's salary in lieu of notice.

The appointment is liable for termination in case the character and antecedents of the appointee are adverse so as to disqualify him from the holding of a post under Government.

By order and in the name of the Governor of Goa.

D. N. Accawade, Under Secretary (Education).

Panaji, 29th June, 1989.

Agriculture Department

Order

No. 2-9-79/AGR(Part)

The following Zonal Agricultural Officers are hereby transferred on Administrative grounds with immediate effect and are posted at the places, shown in column No. 4 below against each of them: —

Sr. No.	Name	Present posting	Proposed posting
1.	Shri G. K. Patil	Zonal Agril. Officer, Satari	Zonal Agril. Officer, Curchorem vice Shri S. N. Lad transferred.
2.	Shri S. N. Lad	Zonal Agril. Officer, Curchorem	Zonal Agril. Officer, Satari vice Shri G. K. Patil transferred.

By order and in the name of the Governor of Goa.

D. N. Accawade, Under Secretary (Agri:).

Panaji, 23rd June, 1989.

Department of Cooperation

Office of the Asstt. Registrar of Coop. Societies

Order

No. 16-28-83/AR(Dairy)/LQD

Read: This office draft order No. 16-28-83/AR(Dairy)/LQD dated 10-1-89 regarding the reconstruction of Mahalaxmi Dudh Vya. Sanstha Maryadit, Velguem to file the objections/suggestions if any.

In virtue of the powers vested in me under section 19 of the Maharashtra Coop. Societies Act 1960, read with Rule 15 of the Coop. Societies Rules 1962, all those interested were called upon to submit/file the objections/suggestions if any regarding the reconstruction of Mahalaxmi Dudh Vya. Sanstha Maryadit, Velguem, within a period of 15 days from the publication of the draft order as mentioned above. However, no any objections/suggestions have been received and hence I am satisfied that there is no objection to the society for its reconstruction being effected. Hence I, A. V. Chikkodi, Asstt. Registrar, Coop. Societies (Dairy), Ponda, hereby approve the reconstruction of Mahalaxmi Dudh Vya. Sanstha Maryadit, Velguem-Bicholim in terms of section 19 of the aforesaid Act, as applied to the State of Goa with the following conditions;

- 1) The Scheme of reconstruction as approved should be implemented.
- 2) The legal action for recovery of the overdue M. T. loan, feed loan and other outstanding assets be taken and the other outstanding liabilities be settled on verification of records.
- 3) The activities of procurement and supply/sale of milk and cattle-feed business be undertaken within one month on reconstruction of the society.
- 4) The assets and liabilities standing in the name of the society in liquidation will continue to stand in the name of the society on reconstruction.
- 5) The society should follow the byelaws as amended vide memo No. PRD/(c)-91/Goa/ARNZ/87 dated 3-3-81 from the Asstt. Registrar, Coop. Societies, North Zone, Mapusa.

I further direct the aforesaid society to take necessary action for constituting a Managing Committee by holding a General Body Meeting as per the provisions in the byelaws of the said society for constitution of such a committee.

A. V. Chikkodi, Asstt. Registrar of Coop. Societies (Dairy).

Ponda, 9th March, 1989.

Revenue Department

Notification

No. 22/120/88-RD

Whereas by Government Notification No. 22/120/88-RD dated 5-10-1988 published on page 444-445 of Series II, No. 42 of the Official Gazette, dated 19-1-1989 and in two newspapers (1) Rashtramat dated 12-10-1988 (2) Sunaprant dated 12-10-1988 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition for improvement and black topping of Beg Xelvona road in V. P. Assolna in Quepem Taluka.

And Whereas the appropriate Government (hereinafter referred to as "the Government"), after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to "the said land").

Now, Therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of section 3 of the said Act, the Deputy Collector & Sub-Divisional Officer, Quepem to perform the functions of a Collector South Goa District, Margao for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Dy. Collector & Sub-Divisional Officer, Quepem till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Quepem		Village: Xelvona
Survey No. Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
4/6 part	H: Nuno Cunho Gonsalves. Parvati Surya Fotto Dessai. T: 1. Philip Pereira. 2. Conceicao Mascarenhas.	225.00
4/8 part	H: Govind Narayan Dessai. T: Silveria Mascarenhas.	100.00
4/10 part	H: Surya Shankar Dessai. Joao Pacheco Mascarenhas. Camilo Mascarenhas.	195.00
4/13 part	H: Ramnath Mahableshwar Sinai Curchorkar.	50.00
2/2 part	H: Nuno Cunho Gonsalves.	375.00
3/1 part	H: Nuno Cunho Gonsalves. T: Gabriel Mascarenhas.	125.00
5/1 part	H: Alchima Mascarenhas.	700.00
5/4 part	H: Ramnath Mahableshwar Sinai Curchorkar.	175.00
82/5 part	H: Gabriel Eigreth.	120.00
82/6 part	H: Datta Babuso Fatto Dessi. Kusta Babuso Dessai. Krishna Babuso Dessai. Hari Laximan Dessai. Srikant Babuso Dessai.	25.00
79 part	H: Shri Dev Sateri Devasthan Prasana.	180.00
77 part	H: Gabriel Mascarenhas.	220.00
80/1 part	H: 1. Raghuvir Shankar Fatto Dessai. 2. Anton Piedade Carvalho. 3. Babani Surya Fatto Dessai. 4. Saju Kusta Fatto Dessai. 5. Rama Fatto Dessai. 6. Datta Babuso Fatto Dessai. 7. Datta Savlo Dessai. 8. Hari Laximan Dessai. 9. Francisco Nanu Fatto Dessai. 10. Mahadev Nanu Fatto Dessai. 11. Anton Joao Costa. 12. Caitan Costa. 13. Nacit Costa. 14. Santan D'Costa. 15. Camil Costa. 16. Datta Savlo Dessai. 17. Chandrakant Malu Fatto Dessai. 18. Smt. Gunavati Govind Dessai. 19. Raghuvir Shankar Fatto Dessai. 20. Gopi Satu Fatto Dessai. 21. Manguesh Shikaro Fatto Dessai. 22. Chandrakant Malu Fatto Dessai. 23. Mangaldas Kalu Fatto Dessai. 24. Gopinath Kusta Fatto Dessai.	225.00
80/5 part	H: Antonio Piedade Carvalho.	30.00
20/1 part	H: 1. Nira Devidas. 2. Mohandas Nilkant Sinai Moll- karnekar. T: Lakmu Putu Fotto Dessai.	125.00
20/2 part	H: Tukaram Pandu Fatto Dessai.	20.00
20/3 part	H: Chandu Shiva Kuelkar. T: Salvador Mascarenhas.	20.00
4/1 part	H: Comunidade of Xelvona. T: Joao Costa.	300.00

Boundaries:

North: S. No. 79, 80/5, 82/5,
6, 78/1, S. No. 2/2 and road.

South: 82/5, 6, 78/1, 28/1, 2, 3,
5/1.

East: 2/1, 3/1, 2/2, 5/1.

West: Road, 4/6, 4/1, 4/8, 4/10,
4/3.

Total 3210.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 29th June, 1989.

Notification

No. 22/91/89-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition for Rural water supply scheme to Ugvem, Tamboxem and Torxem in Pernem Taluka.

And Whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Land Acquisition Officer (PWD) Cell Altinho, Panaji to perform the functions of a Collector North Goa District, Panaji under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Land Acquisition Officer (PWD) Cell Altinho, Panaji.
3. The Executive Engineer, W. D. XVII (PHE) P.W.D. Alto Porvorim.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Special Land Acquisition Officer PWD (Cell) Altinho Panaji for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Pernem

Village: Ugven

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
9/1	Raghuraj Vasudev Deshprabhu.	400.00
8/3	Vishnu Vaman Desai.	75.00
8/9	Ladu Govind Harijan. Kalu Sakharam Harijan. Sakharam Nanu Harijan. Balu Bablo Harijan.	460.00
7	Appa Kashinath Mahale Pundalik Ragoba Mahale. Ramchandra A. Mahale. Laxman B. Mahale.	17765.00
6	Kalu M. Mahale. Ganesh K. Mahale. Appa M. Mahale. Mahadev S. Mahale. Shabi B. Mahale. Laxman B. Mahale. Rama K. Mahale. Babaji J. Mahale. Sivi M. Mahale.	700.00
Boundaries:		
North: River, S. No. 8/3, 5, 6, 7, 8, S. No. 6.		
South: S. No. 9/1, 4/1, S. No. 6.		
East: S. No. 9/1, 2, 3, 4 & S. No. 8/3, 9.		
West: River, S. No. 8/3, 9, 8, 7, 6, 5, S. No. 7 and S. No. 6.		
Total		19600.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 3rd July, 1989.

Notification

No. 22/94/89-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. Land Acquisition alongwith structure for Police Out Post at Chandor.

Now, Therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the

Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Deputy Collector (Rev.) Collectorate of South Goa Margao to perform the functions of a Collector South Goa District, Margao under the said Act in respect of the said land.

5. The Government also authorise, under sub-section (2) of section 4 of the said Act, following officers to do the acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector (Rev) Collectorate of South Goa, Margao.
3. The Superintendent of Police (H.Q.) office of the Inspector General of Police, Panaji.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector (Rev) Collectorate of South Goa Margao for a period of 30 days from the date of publication of this Notification in Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Guirdolim

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
8/2	Maria Quitoria Santos Pereira.	425.00
Boundaries:		
North: S. No. 262/1.		
South: Existing Road.		
East: Canal Existing.		
West: S. No. 8/1.		
Total		425.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 3rd July, 1989.

Notification

No. 22/101/88-RD

Whereas by Government Notification No. 22/101/88-RD dated 7-9-1988 published on page 409 of Series II, No. 38 of the Official Gazette dated 22-12-88 and in two newspapers (i) Navhind Times dated 24-9-1988 and (ii) Navprabha dated 30-9-88 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land) was likely to be needed for public purpose, viz. the Land Acquisition for Rural water supply scheme to Naibag village in Pernem Taluka.

And whereas, the Government being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares under the provisions of section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints under clause (c) of section 3 of the said Act, the Deputy Collector (LA) Collectorate of North Goa Panaji to perform the functions of the Collector North Goa District, Panaji for all proceedings

hereinafter to be taken in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the office of the Deputy Collector (L.A.) Collectorate of North Goa Panaji till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Pernem

Village: Naibag

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
81 part	Rajendra Vasudev Deshpabhu. Vishnu Ganesh Deshpabhu. Rajaji Balkrishna Deshpabhu. Krishnaji Parsuram Deshpabhu. Rajaram Sreeram Deshpabhu. Raghunath Narayan Deshpabhu.	590.00
<i>Boundaries:</i>		
North: Road & S. No. 81.		
South: S. No. 81.		
East: S. No. 81.		
West: S. No. 81.		
Total		590.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 5th July, 1989.

Notification

No. 22/103/89-RD

Whereas it appears to the Appropriate Government (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose, viz. Land Acquisition for extension of the existing Court Building at Vasco-da-Gama.

And Whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act"), are applicable.

Now, therefore, the Government hereby notifies under sub-section (1) of section 4 of the said Act that the said land is likely to be needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will, under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints under clause (c) of section 3 of the said Act, the Deputy Collector/S.D.O. Mormugao Vasco da Gama to perform the functions of a

Collector, South Goa District Margao under the said Act in respect of the said land.

5. The Government also authorises, under sub-section (2) of section 4 of the said Act, the following officers to do the acts specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. Deputy Collector/S. D. O. Mormugao Vasco da Gama.
3. The District and Sessions Judge, South Goa Margao.
4. The Director of Land Survey, Panaji.

6. A rough plan of the said land is available for inspection in the office of the Deputy Collector/S.D.O. Mormugao Vasco da Gama for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

Taluka: Mormugao

City: Vasco da Gama

PTS No. Chalta No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
88/76 part	Mormugao Municipal Council Vasco da Gama.	1050.00
<i>Boundaries:</i>		
North: Road.		
South: 76/88 and 291/103.		
East: 76/88.		
West: Road.		
Total		1050.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 5th July, 1989.

Notification

No. 22/138/88-RD

Whereas by Government Notification No. 22/138/88-RD dated 13-10-88 published on page 391-392 of Series II, No. 37 of the Official Gazette dated 15-12-88 and in two newspapers (i) Gomantak dated 14-11-88 and (ii) Navhind Times dated 16-11-88 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land specified in the Schedule appended to the said Notification (hereinafter referred to as the said land) was likely to be needed for public purpose, viz. Land Acquisition for construction of DWC No. 22 at ch. 10476 M of Right Bank Main Canal of A. I. P.

And whereas, the Government being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares, under the provisions of section 6 of the said Act, that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of section 3 of the said Act, the Special Land Acquisition Officer Irrigation Department Duler Mapusa to perform the functions of the Collector North Goa District, Panaji for all proceedings hereinafter to be taken in respect of the said land and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Special Land Acquisition Officer, Irrigation Department Duler Mapusa till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Bicholim

Village: Curchirem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Area in sq. mts.
1	2	3
36 part	O: Government of Goa. L: Arjun Govind Gaonkar.	1315.00
43 part	O: Government of Goa. L: 1. Chandrakant Naru Gaonkar. 2. Sadgo Naru Gaonkar. 3. Mukund Naru Gaonkar.	560.00
46 part	O: Government of Goa. L: Fundo Sablo Gaonkar.	650.00
47 part	O: Government of Goa. L: 1. Fundo Sablo Gaonkar. 2. Rama Laximan Gaonkar.	2135.00
48 part	O: Government of Goa. L: Kusta Chandru Gaonkar.	3.00
78 part	O: Government of Goa. L: Mosso Vasu Gaonkar.	885.00
77 part	O: Government of Goa. L: Kusta Chandru Gaonkar.	1110.00
76 part	O: Government of Goa. L: Vishnu Anand Bhat Temkar.	1895.00
52 part	O: Government of Goa. L: Bhingo Naru Gaonkar.	165.00
53 part	O: Government of Goa. L: Krishna Madhu Gaonkar.	1850.00
51 part	O: Government of Goa. L: Goplo Guno Gaonkar.	160.00
52 part	O: Government of Goa. L: Krishna Madhu Gaonkar.	1850.00
51 part	O: Government of Goa. L: Goplo Guno Gaonkar.	160.00
61 part	O: Government of Goa. L: Budgo Masto Gaonkar.	1010.00
54 part	O: Government of Goa. L: P. Ramchandra Mono Gaonkar.	190.00
60 part	O: Government of Goa. L: Custa Chandro Gaonkar.	995.00
59 part	O: Government of Goa. L: Custo Loco Gaonkar.	780.00
58 part	O: Government of Goa. L: Bhiku Pandu Gaonkar.	1600.00
67 part	O: Government of Goa. L: Smt. Bhagem Mono Gaonkar.	5805.00
66 part	O: Government of Goa. L: Tukaram Shankar Gaonkar.	660.00

Boundaries:

North: S. No. 36, 46, 48/1, 47, 77, 76, 52, 53, 51, 61, 60, 59, 58, 67, 66.

South: S. No. 36, 46, 47, 78, 77, 76, 53, 51, 61, 54, 60, 59, 58, 67.

East: S. No. 67, 58, 60, 61, 53, 52, 76, 77, 78, 48/1, 47, 46, 43/2, 36.

1	2	3
	West: S. No. 36, 43/2, 46, 47, 78, 77, 76, 52, 53, 61, 54, 60, 58, 67.	

Total 21768.00/

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 5th July, 1989.

Notification

22/130/88-RD

Whereas by Government Notification No. 22/130/88-RD dated 30-9-88 published on page 291 of Series II, No. 28 of the Official Gazette, dated 13-10-88 and in two newspapers (1) Gomantak dated 6-10-88 (2) Navhind Times dated 9-10-88 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification was likely to be needed for the public purpose viz. Land Acquisition at Bordem Bicholim for implementation Housing Scheme of the Board.

And Whereas, the Government of Goa (hereinafter referred to as "the Government"), after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to "the said land").

Now, Therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of section 3 of the said Act, the Deputy Collector (Land Acquisition) Panaji to perform the functions of a Collector North Goa District, Panaji for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Deputy Collector (Land Acquisition) Panaji till the award is made under section 11.

SCHEDULE

(Description of the said land)

Taluka: Bicholim

Village: Bordem

Survey No. Sub. Div. No.	Names of the persons believed to be interested	Approximate area in sq. mts.
1	2	3
63/2 part	1. Comunidade of Bicholim. 2. B. William Pereira.	32000.00
Boundaries:		
North: S. No. 63/2, S. No. 65.		
South: S. No. 64, Road.		
East: S. No. 65, S. No. 64.		
West: S. No. 63/2, Road.		
e Total		32000.00

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 17th July, 1989.

Notification

No. RD/TNC/BND/280/67/351

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund prescribed in the schedule appended hereto as protective bund for the purpose of the said proviso:—

SCHEDULE

Name of the bund	Village	Taluka	Approximate area protected (in Hectares)	Description of the bund
1	2	3	4	5
Aframento Costalem	Carmona	Salcete	10 Ha. directly and 80 Ha. indirectly	The bund runs west to east and then east to south direction marginal to river Sal which starts west from the property belonging to Mr. Antonio M. da Piedade Alemao of Carmona and ends with property of Mr. Olzar Furtado. The bund belongs to Shri A. Sequeira of Raia.

By order and in the name of the Governor of Goa.

P. S. Nadkarni, Under Secretary (Revenue).

Panaji, 15th June, 1989.

Public Health Department

Order

No. 15-1-89/I-PHD

Whereas disciplinary proceedings were initiated under Rule 14 of C.C.S. (C.C.A.) Rules 1965, against Dr. (Mrs.) Sarita R. Kamat, Medical Officer of the Directorate of Health Services vide Memorandum No. 8/81/87-I/PHD dated 15-4-1987 on the following charge:—

That Dr. (Mrs.) Sarita Kamat while functioning as Medical Officer, Primary Health Centre, Curchorem during the period from June, 1980 to July, 1984 issued false medical certificate on 5-9-1983 certifying that she conducted the post mortem at 4.30 p.m. on 5-9-1983 on the body of one Jaiwant Devidas and that the probable cause of death was due to drowning, when in fact the said Dr. (Mrs.) Kamat did not actually perform the post mortem on the body of the said deceased Shri Jaiwant Devidas and it was found in the second post mortem that the cause of death was due to head injury which was ante mortem.

By the above act the said Dr. (Mrs.) Sarita Kamat exhibited lack of devotion to duty and acted in a manner unbecoming of a Government servant thereby violating Rule 3 (i), (ii) and (iii) of C.C.S. (Conduct) Rules, 1965.

Whereas Dr. (Mrs.) Sarita R. Kamat vide her written statement of defence dated 20-5-1987 denied the article of charge framed against her and desired to be heard in person;

Whereas vide order No. 8/81/87-I/PHD dated 22-6-1987 Shri R. V. Durbhatkar, Commissioner for Departmental Enquiries of the Directorate of Vigilance was appointed as the Inquiry Authority to conduct inquiry into the article of charge framed against the said Dr. (Mrs.) Kamat;

Whereas the Inquiry Officer submitted inquiry report dated 7-2-1989 holding the charge of lack of devotion to duty and acted in a manner unbecoming of a Government servant as not proved against the charged officer;

Whereas the Disciplinary Authority over said Dr. (Mrs.) Sarita R. Kamat, on careful consideration of the Inquiry report viz-a-viz the record of the Inquiry and other circumstances of the case agreed with the findings of the Inquiry Officers;

Now, Therefore, the Government of Goa exonerate Dr. (Mrs.) Sarita R. Kamat, Medical Officer of the Directorate of Health Services, of the charge framed against her.

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Health).

Panaji, 4th July, 1989.

Department of Labour

Order

No. 28/10/89-ILD

Whereas the Government of Goa is of the opinion that an industrial dispute exists between the management of M/s. Goa Bottling Company Private Limited, Arlem, and their workmen represented by the Goa Trade and Commercial Workers' Union (hereinafter referred to as the 'Union'), in respect of the matter specified in the Schedule annexed hereto (hereinafter referred to as the 'said dispute');

And whereas the Government of Goa considers it expedient to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) (hereinafter referred to as the 'said Act'), the Government of Goa hereby refers the said dispute for adjudication to the Industrial Tribunal of Goa, Daman and Diu at Panaji-Goa; constituted under section 7-A of the said Act.

SCHEDULE

"Whether the action of the management of M/s. Goa Bottling Company Private Limited, Arlem, and Shri Prakash Naik, Contractor, in refusing the employment of the following 33 workpersons employed as loaders and unloaders inside the factory premises with effect from 23-10-1987 is legal and justified?

1. Ms. Martin Barretto.
2. Ms. Silvia Barretto.
3. Ms. Anna Maria D'Sa.
4. Ms. Nikel Cardozo.
5. Ms. Esperanca Fernandes.
6. Ms. Joaquina Fernandes.
7. Shri Vasant Borker.
8. Shri Mahesh Borker.
9. Shri Krishan Borker.
10. Shri Milagres Barretto.
11. Shri Justiano Fernandes.
12. Shri Caitano Colaco.
13. Shri Gregory Rodrigues.
14. Shri Anthony Fernandes.
15. Shri Andrew Fernandes.
16. Shri Ramdas Naik.
17. Shri Sudhakar Maina.
18. Shri Diago Fernandes.
19. Shri Jose D'Souza.
20. Shri Rosario Barretto.
21. Shri Alberto Pinto.
22. Shri Caitano Fernandes.
23. Shri Agnello Fernandes.

24. Shri Constance Fernandes.
25. Shri Rosario Noronha.
26. Shri Manuel Fernandes.
27. Shri Salvador Fernandes.
28. Shri Ramesh Kotarkar.
29. Shri Lawrence Fernandes.
30. Shri Bostiano D'Silva.
31. Shri Raju Palikar.
32. Shri Prakash Devidas.
33. Shri Surendra Naik, and

2. Whether the demand of the Union for weekly offs and a daily wage of Rs. 35/- per day per person to the 33 workmen is legal and justified?

If not, to what relief the workmen are entitled?"

By order and in the name of the Governor of Goa.

Subhash V. Elekar, Under Secretary (Labour).

Panaji, 21st April, 1989.

Order

No. 28/12/85-ILD

The following Award given by the Industrial Tribunal, Goa, Daman and Diu is hereby published as required under the provisions of Section 17 of the Industrial Dispute Act, 1947 (Central Act XIV of 1947).

By order and in the name of the Governor of Goa.

L. J. Menezes Pais, Under Secretary (Industries and Labour).

Panaji, 23rd May, 1989.

**IN THE INDUSTRIAL TRIBUNAL
GOVERNMENT OF GOA
AT PANAJI**

(Before Shri S. V. Nevagi, Hon'ble Presiding Officer)

Ref. No. IT/40/85

Shri Suryaji Desai

— Workman

V/s

Kadamba Transport Corp. Ltd.

— Employer

Workman represented by Adv. Tina Xavier.

Employer represented by Shri R. K. Pillai.

Panaji, Dated: 3-4-1989.

AWARD

This is a reference made by the Government of Goa, by its Order No. 28/12/85-ILD dated July 16, 1985 with an annexure scheduled thereto which reads as follows:

"Whether the action of the employer of M/s. Kadamba Transport Corporation Limited, Panaji-Goa, in terminating the services of their workman, Shri Suryaji Dessai, Conductor with effect from 17-1-1983 is legal and justified.

If not, to what relief the workman is entitled to?"

This is a Govt. reference made at the behest of the ex-conductor of the Kadamba Transport Corporation. The workman was terminated from service w.e.f. 17-1-1983 and he raised an industrial dispute initially with the Labour Commissioner who held conciliation proceedings in the matter and upon failure of the conciliation made the failure report to the Government. Acting on the report and after going through the record the Govt. of Goa took a decision to make a reference to the Industrial Tribunal. Accordingly the reference dt. July 16, 1985 under section 10(1)(d) of the I.D.A., hereinafter referred to as the act was received in this office and after registering the same on 30-7-85, the notices were issued to the parties returnable on 2-9-1985.

After the services of the notices the parties, the parties appeared in the matter and filed their respective statements.

The statement of claim was filed by the Party I workman on 16-9-1985 and the Managing Director of the Party II Kadamba Road Transport Corporation hereinafter referred to as the employer filed the Written Statement on 3-10-1985. Thereafter the workman Conductor filed the rejoinder cum counter reply on 4-11-1985. Thereafter the Managing Director of the employer Kadamba filed a statement on 10-9-1985 informing the Tribunal that the conductor who had joined the service on 27-7-1981 was dismissed from service w.e.f. 17-1-1983 after holding a domestic inquiry against the conductor over the incident of the checking of the cash which took place on 14-10-1982. According to the employer; at the time of the checking by their traffic staff besides the proceeds of the sale of tickets kept in the conductor's bag an additional amount of Rs. 96.35 paise was found in the shirt pocket of the conductor and on further search of the person of the conductor an additional amount of Rs. 15 was found kept concealed in a handkerchief in the pant pocket of the conductor. According to the employer this amount was in excess of the sale proceeds of the tickets and declared personal cash.

According to the employer the conductor was unable to give proper explanation about the additional cash found on his person and it was therefore presumed that the money was derived out of illegal transactions and this was with a view to misappropriate the lawful revenue of the corporation. Consequently a domestic enquiry was initiated against him in which the conductor fully participated and a reasonable opportunity was given to him to defend his case. The employer has therefore claimed by this application that the domestic enquiry held by them against the conductor is done by following the principles of Natural justice and the action of dismissal based on the finding of the enquiry is fair and proper. Alternatively the employer had claimed that they may be permitted to lead evidence to sustain the action of dismissal.

Afterwards my predecessor framed the following preliminary issues:

Whether the employer proves that the inquiry held is fair, proper and with due compliance of the provisions of law and principles of natural justice?

As regards to this issue the burden lies on the management to prove that the enquiry conducted by them is not only fair and proper but the same is held with due compliance of the provisions and law. While considering the point of enquiry the question that was posed for consideration was whether the findings should be recorded in the preliminary issues first and if the finding went against the management whether the matter should be adjourned for leading further evidence. In this regards Shri Pillai for the management did submit before me that this Tribunal may record the finding on the preliminary Issues as well as on other issues because the employer management had already lead the evidence on the merit of the case and it has no further evidence to lead in this case. Hence I would cursorily record a finding on the preliminary issue and then I shall record the findings on the merits of the case. I find that the charge-sheet was issued by the G. M. on 18-10-1982. The conductor was put under suspension on the same day and the enquiry was held and concluded on 9-11-82. According to the workman the enquiry was conducted with unnecessary haste and the G. M. had played both the role of a prosecutor as well as a judge. According to the learned advocate of the workman the enquiry was not proper and the principles of natural justice were violated. According to him the managing Director dismissed the appeal without assigning any reasons. The order of dismissal is dated 17-1-83 while the appeal to Managing Director was dismissed on 9-3-83. According to him the chargesheet Exh-1 should be read carefully and see whether the charge is properly proved and whether the finding is proper. According to him the enquiry is held in a slipshod manner and there ought to have been a detailed enquiry. Here there is the question of the price of the tickets sold and the money found on the person of the conductor who is accused of having excessive cash. Here the discussion of some facts would be necessary.

The conductor was on duty on Panaji-Vengurla route on 14-10-1982 and the bus returned to main bus stand at Panaji at about 3.00 p.m. where the Traffic Inspector Agnelo Gracias and his subordinates stopped the conductor and took a search. Here there is some confusion about the money found and this is the crux of the whole matter.

Admittedly, an amount of Rs. 288.35 represented the sale tickets which were issued officially. However, the money found with the conductor was Rs. 329.35 paise. Admittedly,

excess money was found and it is for the conductor to explain the excess money. According to the conductor the excess money found with him was Rs. 41/-; while the management claims that the money was more. A detailed scrutiny of the facts shows that the whole amount of Rs. 288.35 paise represents the sale of tickets and this amount should have been kept in the conductor's bag which is the usual practice. However, in this particular case the conductor has not followed this practice. He had kept an amount of Rs. 96.55 paise in his shirt pocket, which means that some of the sale proceeds were kept by him in the shirt pocket which is rather unusual. The matter does not end here only. The person of the conductor was searched by Agnelo Gracias and in the pant pocket he found a bundle of handkerchief which was subsequently unfolded and it was found to contain currency notes of the denominations of Re 1/-. This is the most important factor which I shall consider subsequently. Presently I confine myself to the validity of the domestic enquiry.

In this regard the approach of the management is half hearted. The management first states that no domestic enquiry was needed as the conductor has committed the act of mis-conduct within two years of his probationary period. The certified standing order no doubt show that the probationary period is two years. However, they came into force subsequently. Hence provisions of model standing orders would have to be considered which lay down the probationary period of six months. Further, the management had chosen to hold a domestic enquiry and this Court has to see whether the enquiry conducted is proper. Shri Pillai relies on the observations of the Supreme Court to point out that in domestic enquiry strict rules of evidence are not applicable and the charge need not be established beyond reasonable doubt and proof of misconduct is sufficient; 1982 Vol. I SCC pg. 143. I find that, even though these are the observations; the domestic enquiry is not held in a proper manner by considering the details of the amount found and the actual sale proceeds. So upon an overall consideration, I hold that the domestic enquiry is not properly conducted and I shall go on to consider the case on merits to see whether order of dismissal is fair and proper and legal in the circumstances of the case.

This then brings me to the consideration of the case on merits on the point of checking which took place on 14-10-82; over which a charge sheet Exh W-1 was issued on 18-10-82. There are two aspects of this case. One aspect is that the excess money was found on the person of the conductor who was on duty on the Kadamba Transport bus. The Second aspect is whether keeping money in excess amounts to misconduct. No specific rule was pointed out by Shri Pillai for the Kadamba Transport. He however, produced "an instruction book" issued to the drivers and conductors of the corporation. There is rule No. 13 known as Khasgidudu in Konkani meaning Private money to be kept by the conductor. As per this rule the conductor has to keep an amount of Rs. 15 within Goa limits and Rs. 25 if the bus is taken outside and this amount is to be noted on the way bill while taking out the bus. If there is no entry of the private money on the way bill that amount would be forfeited and deposited into the funds of the corporation. This is the only rule as regards the amount being found excess. However, I did not come across any rule showing that the finding of such excess amount would amount to misconduct and that any conductor with whom excessive amount is found is liable to disciplinary action. So, in the absence of any specific rule regarding the amount found excess I shall have to go by the ordinary law of the land. Before considering these aspects I shall cursorily go to the showcause notice.

As per this show cause notice an amount of Rs. 96.35 paise was found in the shirt pocket and an amount of Rs. 15 was found in the handkerchief in the pant pocket. Out of Rs. 96.35 paise an amount of Rs. 70 admittedly belongs to the corporation being the amount of sales proceeds of the tickets. So, the amount of Rs. 26.35 and Rs. 15 total Rs. 41.35 were found in excess and it was surmised that the conductor had made up this money by some illegal way and thereby cheated the corporation. While putting up this charge no breach of any corporation rule is alleged and simply a case of cheating is made out.

With this position as it stands I shall see whether the conduct of the conductor is really above board and clean as is made out by him. For this purpose I shall go through the conduct of the conductor who has to explain the circumstances and the charge posed against him. According to him, a part of the money is his personal cash but the same was

not noted in the way bill. The conductor is provided with some cash known as impresto cash which is used while on the journey. In this regard the conduct of the conductor is not very clear and straight. According to him, he went to the concerned clerk on the earlier date to collect the impresto cash. I shall see what he has to say in his evidence before me. According to him he looked for the concerned clerk to get the impresto cash but the clerk was late on duty. As he did not have any change with him he took the cash of Rs. 20 from another conductor by name Tulsidas Gaonkar. About the events on next day viz. 14-10-82 he states that his bus reached Panaji bus stand at 3.00 p.m. and the two checkers Mamlatdar and Gracias halted him on his way to the head office. He told the checkers that he had taken the cash of impresto cash from a fellow conductor as the clerk was on leave and he had a plan to get the necessary endorsement from the head office but he was checked on the way.

About the checking he admits that they found Rs. 96 with him, they also found Rs. 15 in his pant pocket. He told him that these amounts included his personal cash of Rs. 41. The two checkers then recorded his statement. The two checkers returned Rs. 41, but tore on tickets for Rs. 15 which was found to be in excess. This was presumably done as per Rule 13 which I discussed in the foregoing paragraphs. In cross examination he was asked about the impresto cash to be collected on 13-10-82 as his duty on Panaji-Vengurla bus started at 7 o'clock on 14-10-82. He went to contact the clerk but the clerk came late for duty, so he told the traffic controller that the impresto cash was not given to him. Then he took the cash from the fellow conductor. He is then asked about the way-bill. He admits that every conductor is to complete the waybill before the bus reaches destination. He admits that the way bill was not complete and so two things were incomplete. First, there is no clear and correct account on the way bill showing how many tickets were sold and how much cash was received by him. He admits this position. With this position he was going to the head office to hand over the cash. This is the first circumstance which proves guilty conduct. The second circumstance is also equally important. He admits that in the search by the two checkers; Rs. 96 were found in his shirt pocket. Out of this amount of Rs. 96; Rs. 70 were the sale proceeds of tickets and remaining was his personal cash. Ordinarily, the amount of sale proceeds of tickets is to be kept in Conductor's bag. Why he allowed a part of sale ticket amount to be mixed with his personal cash? This is the second circumstance which goes against him. There is then the third circumstance which is of incriminating nature which is more consistent with his guilt than his innocence. He admits that an amount of Rs. 15 was found in the pant pocket and according to him he has not concealed this amount in the handkerchief but when he took out the handkerchief from the pant pocket the cash of Rs. 15 also came out with it. According to him, the handkerchief contained some sundry papers but not the cash. He is then confronted with his statement which was recorded by the checkers. He admits that he has stated therein that the currency notes were found kept in the folder of the handkerchief. According to him the checkers wrote this portion and just took his signature below the statement. He admits that he has signed in English and that he has studied upto tenth Std., with English as one of the subject and Marathi as the Secondary Language. His statement was recorded in Marathi. So, what he says about the handkerchief and the money coming out along with the handkerchief is an after thought and this is a circumstance which goes against him. The Checkers forfeited the amount issued the tickets for this amount and deposited the amount into the Corporation cash.

The above three circumstances considered cumulatively go against the conductor and they point out at his guilt. The conduct of the conductor is not clean and above board and he was caught with excessive amount in a suspicious circumstance. The only infirmity in the case of the employer is that they did not hold the enquiry properly and that they failed to produce the way bill on which the endorsement of the impresto cash was allegedly made. The employer initially produced a way bill on 12-7-88. However, it pertained to different matter. On the next day that is on 13-8-88 the employer expressed its inability to produce the way bill stating that it was misplaced. Anyway this is the circumstance which goes in favour of the workman. However, the suspicious circumstances under which the cash was found in his shirt pocket and the pant pocket cannot be ignored. He had offered to examine the fellow conductor but he could not examine him as a witness. Hence, whatever stated by the conductor is studied by me in detail and I find that the conductor is not an honest person as he claims to be. Earlier,

on 13-10-81 a shortage of Rs. 50.70 was found in his cash bag and this amount was recovered from his salary and additionally a fine of Rs. 15 was imposed. Before that on 7-5-82 he had collected the bus fare from a passenger and did not issue the ticket for Rs. 5. For this he was warned and a fine of Rs. 5 was imposed. The conductor was appointed on 27-7-81 and all this he had done within less than two years. So, while considering the question of reinstatement I feel that he is not a fit person to get a relief of reinstatement. The corporation had made out an alternative case of relief by payment of compensation when there is a wrongful dismissal. Reliance is placed on the authority of the Supreme Court reported in 1982 Vol II Supreme Court Cases Page 328. Therein an employee holding the position of trust and confidence was dismissed from service for management's loss of confidence in him. It was held that payment of compensation and not reinstatement would be the adequate relief. The position in this case is similar. The post of a conductor is of trust and confidence and when the dishonesty is proved reinstatement would be improper and compensation would serve the purpose. In the result, I pass the following order:

ORDER

It is hereby held that the action of the employer of M/s Kadamba Transport Corporation Limited, Panaji-Goa in terminating the service of their workman Shri Suryaji Dessai, Conductor is not proper and the same is not justified, in the circumstance of the case.

However, instead of directing his reinstatement into service it is directed that the Party II Corporation to pay him a compensation of Rs. 6,000 (Rupees six thousand only) at the rate of Rs. 1000 of every year's service.

There shall be no order as to costs.

Inform the Government accordingly about the passing of the Award.

S. V. Nevagi,
Presiding Officer.

Panaji, 3rd April, 1989.

Finance (Revenue and Control) Department

Notification

No. CET/ADM/1/3/89/116

Read: Order No. CST/23/3/EST/89/25 dated 4-4-1989 of the Sales Tax Department, Panaji.

In exercise of the powers conferred by sub-section (3) of Section 2A of the Goa, Daman and Diu Entertainment Tax Act, 1964, (2 of 1964) Shri Ismail A. K. Shaikh is appointed as Entertainment Tax Inspector for the purposes of the said Act with effect from 25-4-1989 (F.N.), until further orders.

Lalmalsawma, Commissioner of Entertainment Tax.

Panaji, 21st June, 1989.

Order

No. 3-5-84-Fin(R&C)Part. III

In exercise of the powers conferred by sub-section (3) of Section 5 of the Goa, Daman and Diu Entertainment Tax Act, 1964 (2 of 1964), the Government of Goa is pleased to exempt the feature film "Safed Haathi" from the liability of payment of Entertainment Tax in whole throughout the Goa State for a period of six months with effect from the date of release of the said film in Goa State subject to the following conditions:—

- i) The rate of payment for admission shall be reduced to the extent of the Entertainment Tax payable on each admission tickets;
- ii) The licence of the auditorium where the said film is screened shall maintain separate account regarding the tickets for admission issued and submit them to the Commissioner of Entertainment Tax Government of Goa, Panaji within one month from the date of the last screening of the film at each place;

- iii) This order shall be exhibited in the prominent position at the public entrance to the place of entertainment at the time the public are admitted during the entertainment.

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Fin. Exp.)

Panaji, 29th June, 1989.

Order

No. 6/15/88-Fin(Exp)Part

Whereas Shri N. P. S. Nagorcencar retired Director of Accounts has been appointed Accounts Advisor to the Government with effect from 1-5-1989 on contract basis vide Government order of even number dated 28-4-1989 and;

Whereas the Agreement between Shri Nagorcencar and the Government drawing terms and conditions regulating the above employment contract has been executed by the parties to the contract;

Now, therefore, the Government in terms of Central Civil Services (Fixation of Pay of Re-employed Pensioners) orders 1986 is pleased to fix the pay of Shri Nagorcencar as follows:

Last Pay drawn by Shri Nagorcencar	Rs. 4,075-00
Minus Pension	Rs. 2,007-00
Pay fixed (Rupees two thousand and Sixty eight only).	Rs. 2,068-00

Shri Nagorcencar shall also be entitled to all other allowances such as D.A., House Rent Allowance, C.C.A., etc. as admissible under the rules on the last pay drawn by him.

The pay & allowances shall be debited to the Budget Head 2052-Secretariat General Services, 090-Sectt. (Non-Plan), 03-Finance Dept., 01 Salaries, 05.

By order and in the name of the Governor of Goa.

K. M. Nambiar, Under Secretary (Finance Exp.)

Panaji, 30th June, 1989.

Law (Establishment) Department

Order

No. 4-1-85/LD(4)(ii)

Read: Govt. Order No. 3-22-84/LD(i) dated 11-11-1987.

The Govt. of Goa is hereby pleased to accept the resignation tendered by Shri Atanasio Monteiro, from the post of Govt. Pleader before the Arbitrator, Goa Panaji appointed under the Defence of India Act, 1962 and the Requisitioning and Acquisition of Immovable Property Act, 1952, with immediate effect.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 21st June, 1989.

Order

No. 4-1-85/LD(4)(ii)

Read: Govt. Order No. 4-1-85/LD(4)(ii) dated 11-11-87.

The Govt. of Goa is hereby pleased to accept the resignation tendered by Shri Atanasio Monteiro, from the post of Govt. pleader before the Administrative Tribunal Goa, Panaji with immediate effect.

By order and in the name of the Governor of Goa.

Maria A. Rodrigues, Under Secretary (Law).

Panaji, 21st June, 1989.

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